

**In the United States District Court
For the Southern District of Georgia
Brunswick Division**

BRENDA CALHOUN,

*

Plaintiff,

*

CIVIL ACTION NO.: 2:17-cv-120

v.

*

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

*

Defendant.

*

ORDER

The Court has conducted an independent and de novo review of the entire record and concurs with the Magistrate Judge's Report and Recommendation, dkt. no. 19. The Court has additionally considered Plaintiff's Objections to the Report and Recommendation, dkt. no. 20. For the reasons set forth below, the Court **OVERRULES** Plaintiff's Objections and **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court.

In her Objections, Plaintiff contests the Administrative Law Judge's ("ALJ") consideration of her alleged severe mental impairment and the opinion of Dr. Kristianson Roth, a psychological consultative examiner. However, Plaintiff's

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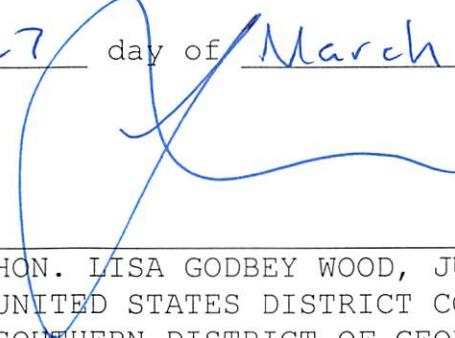
U.S. DISTRICT COURT
SOUTHERN DIV.

Objections offer little more than a reiteration of the contentions she originally presented the Court. In fact, Plaintiff's Objections, as well as her initial pleadings, serve to underscore her dissatisfaction with the ALJ's determination that she is not disabled within the meaning of the Social Security Act and are repetitive of each other. Compare Dkt. No. 15, pp. 4-9 with Dkt. No. 20, pp. 2-7. Additionally, it appears Plaintiff wishes for this Court to re-weigh the evidence from Dr. Roth and the vocational experts that was presented to the ALJ, which this Court cannot do. A reviewing court does not "decide facts anew, reweigh the evidence or substitute" its judgment for that of the Commissioner. Dyer v. Barnhart, 395 F.3d 1206, 1210 (11th Cir. 2005). Even if the evidence preponderates against the Commissioner's factual findings, the court must affirm a decision supported by substantial evidence. Id. As the Magistrate Judge correctly concluded, substantial evidence supports the ALJ's determination that Plaintiff is not disabled within the meaning of the Social Security Act. Dkt. No. 19, pp. 6-17.

The Court **OVERRULES** Plaintiff's Objections and **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. The Court **AFFIRMS** the decision of the Commissioner and **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the

appropriate judgment of dismissal.

SO ORDERED, this 27 day of March, 2019.


HON. IISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA